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Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Letter dated 18 September 2003 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

It gives me a great pleasure to forward herewith the Ulaanbaatar Declaration (see annex I) and Plan of Action (annex II) adopted by the Fifth International Conference of New or Restored Democracies, held in Ulaanbaatar from 10 to 12 September 2003.

I should be grateful if the text of the present letter and its annexes could be circulated as a document of the General Assembly under agenda item 20.

(*Signed*) Choisuren **Baatar**
Ambassador
Permanent Representative

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Annex I to the letter dated 18 September 2003 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

(FINAL)

THE FIFTH INTERNATIONAL CONFERENCE OF NEW OR RESTORED DEMOCRACIES

ULAANBAATAR, MONGOLIA
10-12 September 2003

Ulaanbaatar Declaration

Democracy, Good Governance and Civil Society

i. **We, the Governments and representatives of nations around the world gathered at the 5th International Conference of New or Restored Democracies,**

ii. Declaring that democratic governance is legitimate and responsive, representative and participatory, transparent and accountable, and rights and law based. While it empowers, it offers checks and balances on authority to prevent abuse and enhances the promotion and protection of human rights, gender equality, and respect for the rule of law. We will endeavour to ratify, accept, or accede to the international human rights and international humanitarian law instruments;

iii. Democracy provides legitimacy to governments by rooting their actions in the will of the governed, builds greater success for national programs by engaging the energies of the governed, increases the potential for long-term sustainable economic development, and fosters human security by providing avenues for dissent to be expressed in legitimate, non-violent forms.

iv. Declaring further that the full, active and unobstructed participation of civil society, as they employ democratic and non-violent means, is essential for democratic governments to always remain responsive to the people's needs and wishes, including between elections;

v. Recognizing that new or restored democracies are today facing many challenges brought about by both national and international forces. Democracy has advanced rapidly in the last thirty years in many countries but we have also witnessed instances where democratic structures have come under direct threat by internal or external destabilisation forces of a military, political or economic nature;

vi. Recognising further that new or restored democracies also face the challenge of consolidating their sovereignty, their democratic achievements, of making democracy itself an irreversible process, and of ensuring that all members of society benefit from the democratisation process and are able to participate fully in the new systems of governance;

vii. Recalling that fifteen years have passed since the first International Conference of New or Restored Democracies (ICNRD) and that in these years democracy has developed and consolidated in many new and restored democracies, while some others have experienced failures due, inter alia, to armed conflicts or the undermining effect of organised crime, terrorist acts or repression;

viii. Recalling further that in the intervening period we have witnessed a rise in international terrorism. We fully support the increasing international efforts to address it. We reiterate our condemnation of all acts, methods and practices of terrorism, in all its forms and manifestations. In this regard, we underline the need to take the necessary steps to enhance international cooperation to prevent and combat terrorism, including measures that

address factors that foster and sustain extremism and violence. Such efforts should comply with their obligations under international law, in particular international human rights, refugee and humanitarian law.

ix. Recognizing also the foregoing challenges, and in the spirit of solidarity and cooperation, desiring to open up a path for further strengthening the global democratic movement by the consolidation of new or restored democracies, as well as supporting other states in introducing democratic reforms for the benefit of all members of society. Democracy should be rooted in the Constitution of the State to provide permanency and a legal foundation;

x. Reaffirming the principles and commitments as endorsed in:

- The Manila Declaration adopted in June 1988 at the First International Conference of New or Restored Democracies;
- The Managua Declaration and plan of action adopted in July 1994 at the Second International Conference of New or Restored Democracies;
- The Final Document of Bucharest entitled "The review of the situation and recommendations" adopted in September 1997 at the Third International Conference of New or Restored Democracies; and
- The Cotonou Declaration adopted in December 2000 at the Fourth International Conference of New or Restored Democracies,

xi. Recognising further that:

- Democratic societies have certain qualities which we consider superior to others, particularly those concerned with their participatory, representative and equitable nature;
- Democracy, development and respect for human rights and of fundamental freedoms are interdependent and synergic; and
- Democracy is an ongoing process,

xii. Dedicate our efforts to help new and restored democracies to both consolidate and deepen democracy in new or restored democracies.

xiii. Endorse the following principles and agree to work towards implementing them in accordance to international, regional and national Plans of Action adopted in pursuance to this conference.

xiv. Reaffirm our full adherence to the purposes and principles of the Charter of the United Nations and underline our commitment to strengthen the United Nations as the principal international multilateral forum.

I. A democratic society is a just and responsible society.		
1	A just and responsible society cannot tolerate poverty and will work towards eliminating inequality and promoting equality of opportunities in our societies.	
	1 a	We will endeavour to promote sustainable development and economic growth from which all members of our respective societies will benefit.
	1 b	We will strive to ensure access to all members of society basic services, including health care, education, clean water supply, basic sanitation and affordable energy and communications.
	1 c	We will endeavour to ensure that globalisation does not have a negative but a positive effect on the poor, rural, or unskilled members of society.
2	A just and responsible society provides safety nets to the marginalised in society, with the assistance, if needed, of the international community.	
	2 a	We will endeavour to reskill workers who are made redundant as a result of economic reform or technological changes.
3	A just and responsible society prioritises sustainable development.	
	3 a	We undertake to address the urban/rural divide in the delivery of development services, and prioritise rural development.
	3 b	We undertake to address, with urgency, environmental problems.
	3 c	We exert our efforts to help achieve the Millennium Development Goals.
4	A just and responsible society is committed to human security and human development.	
	4 a	We undertake to promote human security and human development to achieve cultural, economic, social, and political progress.

	4 b	We uphold political freedom and participation as important for human security and human development and reaffirm that fundamental aspects of human security and human development, including investing in education and health, increasing people's safety from the threat of violence, promoting equitable economic growth, and ensuring participation through democratic governance are mutually reinforcing principles leading to a better future for our societies.
	4 c	We undertake to incorporate in our respective national development strategies the above fundamental principles of human security and human development.
II. A democratic society is an inclusive and participatory society.		
5	An inclusive and participatory society must provide access and ensure participation of its citizens in the national decision-making process.	
	5 a	We will endeavour to adjust our institutions to better serve the goals of democracy.
	5 b	We will endeavour to strengthen representative democracy - parliamentary and electoral systems.
	5 c	We undertake to take all possible measures to encourage the full participation of women in the electoral process and increased representation of women at all levels, including legislatures.
	5 d	We will pursue, where necessary, electoral reforms with the participation of political parties and other relevant segments of civil society to uphold the principle of holding free, fair and periodic elections.
	5 e	We undertake to strengthen our electoral systems by ensuring independence of electoral bodies, monitoring electoral campaigns and processes by independent experts, and transparency of campaign contributions.
	5 f	We will endeavour to continue the consolidation of democratic multiparty systems in our societies to increase participation and representation of the people.
	5 g	We are committed to creating favourable conditions including a strong legal framework for the development of political parties and their engagement in political developments, elections, and responding to the interests of society.

	5 h	We will build mechanisms to give people better access to their members of parliament.
	5 i	We will take all possible measures to legislate only after proper consultations.
	5 j	We will endeavour to strengthen democracy at the local level.
	5 k	We will take measures to broaden electoral participation to encompass all sectors of our respective societies, particularly our citizens living abroad or overseas.
6	An inclusive and participatory society addresses the interests and concerns of people belonging to ethnic and other minorities.	
	6 a	We undertake to keep an open dialogue with people belonging to minority groups to improve their situation.
	6 b	We undertake to ensure people belonging to minorities are well and truly represented in all the national institutions, and where this is not possible, to be regularly consulted.
7	An inclusive and participatory society values and implements compromise and accommodation as they facilitate the resolution of societal conflicts and promote stability of democracies.	
	7 a	We commend achievements of democracy through compromise and accommodation as a universal means to mitigate conflicts, promote stability, and harness the creative energies of the people for common causes.
8	An inclusive and participatory society needs to foster national belongingness for all members and groups in society.	
	8 a	We will endeavour to promote national unity and identity within all groups of society.
9	An inclusive and participatory society encourages education on democratic values and informs its members on their democratic rights and freedoms, as part of their efforts in consolidating their democracy.	
	9 a	We will endeavour to initiate or facilitate the development of national education programmes, or to encourage the appropriate authorities to do so, to improve knowledge of basic democratic values and human rights.

III. A democratic society promotes and protects the rights and freedoms of all its members.		
10	A democratic society promotes and protects the rights and freedoms of all its members providing instruments of redress for cases of breach of rights and abuse of power.	
	10 a	We undertake to set up and strengthen national institutions and mechanisms to ensure that basic democratic principles and human rights are fully respected and guaranteed.
	10 b	We undertake to bring to justice, within existing national legal frameworks, any person, irrespective of status or position, who commits a breach of human rights or abuse of power.
11	A democratic society that promotes and protects the rights and freedoms of all its members protects those who work towards ensuring that such rights and freedoms are fully respected.	
	11 a	We undertake to secure an environment conducive to the activities of Human Rights defenders in line with existing Human Rights instruments.
12	A democratic society protects vulnerable people.	
	12 a	We undertake to address issues related to protection of children, women, the aged, and people with disabilities from abuse, especially during armed conflict.
	12 b	We undertake to address issues related to the empowerment of women and youth.
	12 c	We undertake to address issues related to the empowerment of children, the aged and people with disabilities.
IV. A democratic society is an open and transparent society.		
13	An open and transparent society encourages the free creation, pursuit and flow of information.	
	13 a	We undertake to make any legal reforms necessary to ensure the freedom of all types of media – print, broadcast and Internet.
	13 b	We undertake to ensure that, while guaranteeing media freedom, we protect individuals, organisations and institutions from abuse.
	13 c	We undertake to give all people access to new information technologies.

14	An open and transparent society elicits the effective participation of civil society in local, national and international institutions and processes.	
	14 a	We undertake to engage in regular and active dialogue and consultation with civil society organisations as our partners in our democratic development.
	14 b	We undertake to provide legislative and regulatory framework and foster an enabling environment for civil society organisations to develop. We shall promote partnerships between civil society and government. To that end we undertake to involve broadly civil society in decision making processes at local and national levels.
	14 c	We undertake to serve our citizens by providing more information on government policies and programmes, and by considering the benefit of access to information legislation and systems, if not already in place.
V. A democratic society functions under agreed rules of law and accountability regardless of the challenges it may face.		
15	A society that functions under agreed rules of law and accountability condemns all types terrorism as a crime and a threat to peace and security at both national and international level, and democratic governance.	
	15 a	We undertake to ensure that, while fighting terrorism, we will work to promote and protect human rights and fundamental freedoms as they are guaranteed by international and national legal instruments. We undertake to ensure due process to those who are charged with terrorism. We support the efforts being made by the international community under the auspices of the United Nations to address the issues of terrorism, and express the hope that the process will be accelerated.
	15 b	In the framework of our struggle against terrorism we undertake to promote democracy, human rights, good governance, development, and the rule of law as important in creating just, equitable, stable and secure societies.
	15 c	In the framework of our struggle against terrorism we undertake to work together to strengthen international law in order to enhance the fight against all types of terrorism and ensure a peaceful resolution of international and national conflicts.
	15 e	We undertake to create and integrate, where necessary, mechanisms of conflict prevention and consensus-building in our societies.
16	A society that functions under agreed rules of law and accountability cannot tolerate violent and/or military insurgencies against a democratically elected government.	

	16 a	We undertake to provide civilian control over military, paramilitary and police forces to ensure they protect democracy and constitutionality and through their actions do not undermine democratically elected regimes.
	16 b	We undertake to deal with insurgents against democratically elected governments in a lawful and constitutional manner.
17	A society that functions under agreed rules of law and accountability cannot tolerate abuse of power and corruption. These elements undermine democracy as they erode the people's trust in democratic governance.	
	17 a	We undertake to promptly address any challenges to the separation of powers.
	17 b	We undertake to strengthen the safeguards for ensuring independence, impartiality and professionalism of the judiciary.
	17 c	We undertake to adjust, reform or reinvigorate systems and procedures to eliminate corruption and introduce accountability measures when trust is breached.
	17 d	We undertake to encourage the investigation of allegations of abuse of power and corruption.
VI. Democratic societies show solidarity toward others.		
18	Encourage and assist other states in making the often difficult transition to democracy.	
	18 a	Share experiences, lessons and best practices on the adoption of democracy and democratic institution building.
	18 b	Support multilateral organisations in their efforts to promote and strengthen democracy.
19	We take note of the outcome of the Seoul Conference of the Community of Democracies, held in November 2002 and encourage the two fora to work closely together in the pursuit of the common goal of developing and deepening democracy throughout the world.	
20	We believe that democratic societies are better able to achieve the Millennium Development Goals as they are inherently and fundamentally participatory and representative. The more affluent democratic states need to assist new and restored democracies in meeting their development goals for the benefit of all people living in democratised developing countries as this ensures stability and thus the success of the democratisation process.	
	20 a	Assist new and restored democracies achieve their Millennium Development Goals.
	20 b	Assist new and restored democracies in realising commitments undertaken in regional and international fora.

21	We express our appreciation and gratitude to the governments of the Philippines, Nicaragua, Romania, Benin and Mongolia, as well as to the United Nations and individual donor countries, for having made the five International Conferences of New or Restored Democracies possible. We call upon the United Nations General Assembly and upon its member states to examine the possibility of providing further support to the ICNRD conferences, organised in cooperation with the United Nations.
22	The participants have expressed their deep gratitude and high appreciation to the people and the Government of Mongolia for successfully holding the Fifth International Conference of New or Restored Democracies. They have recognized that after thirteen years of the peaceful transition to a democracy and market economy Mongolia has made significant progress in promoting and consolidating democratic values.

Ulaanbaatar, Mongolia, 12 September 2003.

Annex II to the letter dated 18 September 2003 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

(FINAL)

Ulaanbaatar Plan of Action

Democracy, Good Governance and Civil Society

12 September 2003

1. We, the governments and representatives of nations around the world gathered at the 5th International Conference of New or Restored Democracies in Ulaanbaatar on 10-12 September 2003, affirm the need to further work towards consolidation of democracy in our countries by building societies that are just and responsible, inclusive and participatory, open and transparent, that respect all human rights and fundamental freedoms of all and ensure accountability and the rule of law.

2. The Plan of Action of the Fifth ICNRD, which is to be presented to the United Nations General Assembly, will guide the work of the President and the Bureau in the years leading to the sixth ICNRD.

3. National Action

3.1 For democratic changes to be meaningful and of benefit to all people, these need to be reflected at the national level. Countries may therefore:

3.1 a Draw up, with the collaboration of citizens and civil society, a national plan for strengthening democracy which is consistent with the spirit of the Declaration agreed at Ulaanbaatar.

3.1 b Prior to the sixth ICNRD, prepare 'country information notes'. The country information notes will outline the prospects of advancing and deepening democracy in the country and the steps that have or still need to be taken to address the principles and recommendations of the ICNRD declaration.

3.1 c Develop their own national democratic indicators' databases to be better able to monitor their progress in democratic and social development over time. It is recommended that the development of own national democratic indicators benefit from the current work done in other multilateral fora. The creation of such a database should be an inclusive and dynamic process with the participation of policy-makers, academics and civil society. The exercise will raise public awareness on issues of democratic governance and provide a broad overview of progress in this area. This process could also be central to national consensus building with the engagement of all stakeholders leading to further national consolidation of democracy.

3.1 d Give special attention to the following areas:

3.2 Participation and representation

3.2 a Ensure that the electoral process guarantees principles of holding free, fair, and periodic elections, based on secret balloting and universal suffrage monitored by independent national election authorities;

3.2 b Emphasise voter education particularly in an effort to improve voter turnout and reduce invalid votes. Ensure that voters have access to independent and sufficient information;

3.2 c Ensure independence of electoral bodies and ensure their constitutional guarantees;

3.2 d Ensure transparent electoral campaign financing;

3.2 e Ensure the freedom of association including the right to form independent political parties to create a pluralistic society;

3.2 f Support the participation of citizens living abroad or overseas and ensure that the election and decision-making process benefits from the largest possible rate of participation within society.

3.2 g Decentralise decision making to the local level, where feasible;

3.2 h Improve democratic institutions at the local level;

3.2 i As appropriate, take immediate steps in publishing all legislation (even financial ones) as white papers and consider inviting comments from citizens and interested parties before these are enacted;

3.2 j Improve the work of parliamentary committees; and

3.2 k The executive and legislature should hold regular consultations with citizens to ensure they are well aware of their needs and thus are able to address them accordingly at the highest levels.

3.3 Sustainable Development and eradication of poverty

3.3 a Develop safety nets, including social welfare systems, for the poor and marginalised in our societies;

3.3 b Ensure provision of essential services are affordable for the poorest;

3.3 c Address the urban/rural divide by developing plans that address the needs of rural communities;

3.3 d Promote Human Resource Development for achievement of national economic development goals, especially with a view to the unemployed pursuing a productive life in our communities;

3.3 e Promote public participation in environmental decision making;

3.3 f Prioritize the protection of the environment as this has a direct link to the alleviation of poverty;

3.3 g Aggressively pursue the attainment of the Millennium Development Goals.

3.4 Protection of human rights

3.4 a Establish or strengthen independent and impartial human rights commissions in conformity with the Paris Principles, ombudsman offices or similar bodies able to investigate human rights abuses and abuse of power;

3.4 b Harmonize national legislation with international instruments on the promotion and protection of human rights;

3.4 c Consider acceding to all the international human rights instruments, regularly prepare reports on their implementation and submit them for consideration by the appropriate treaty mechanisms and actively cooperate with the United Nations Commission of Human Rights;

3.4 d Support human rights monitoring capacities of NGOs and the media;

3.4 e Develop human rights education programmes for the military, the police, the civil service, as well as the general population. Countries should consider including civic/ democracy/ human rights education in their school curricula, or encourage the appropriate authorities to do so, and if necessary, seek the help of the United Nations System and civil society;

3.4 f Promote and protect equality of all citizens before the law and equal protection under the law;

3.4 g Ensure right of equal access to justice and to be protected from arbitrary arrest;

3.4 h Investigate alternative dispute settlement mechanisms;

3.4 i Set up, where absent, independent bar/law associations;

3.4 j Strengthen the independence, impartiality and professionalism of the judiciary;

3.4 k Ensure due process of law and the right to be presumed innocent until proven guilty in a court of law;

3.4 l Ensure guaranteed right to a fair and impartial trial;

3.4 m Ensure that violations of human rights and abuse of power are well investigated and perpetrators brought to justice;

3.4 n Ensure remedies are provided to victims of human rights violations; and

3.4 o Protect the freedoms of those who work for the protection of human rights.

3.5 Open and transparent Government

3.5 a Facilitate citizens' access to information;

3.5 b Make internal and transnational activities and transactions, that are most susceptible to corrupt practices, more transparent and easily accessible for investigation;

3.5 c Provide media education to national officials and civil servants to increase appreciation of the media's role in a democratic society;

3.5 d Facilitate access to government records and other information, within our national legal frameworks, while protecting individuals, organizations and institutions from abuse;

3.5 e Reform any legal instruments that inhibit the media from pursuing their work; and

3.5 f Support programs aimed at improving the professionalism and ethics of journalists in the country and encourage the formation of professional associations of media practitioners.

3.6 Rule of Law and Accountability

3.6 a Ensure that the military remains accountable to the democratically elected civilian government;

3.6 b Strengthen, where necessary, the separation of powers;

3.6 c Strengthen legal basis of fight against corruption, including speedy negotiation and adoption of the United Nations Convention against Corruption;

3.6 d Become parties to the appropriate UN conventions and protocols to fight international terrorism and promote speediest conclusion to the negotiations on the draft international convention for the suppression of acts of nuclear terrorism and the draft comprehensive convention on international terrorism;

3.6 e Cooperate fully with the Counter-Terrorism Committee (CTC) of the United Nations Security Council to fight terrorism and other international mechanisms to fight transnational crime;

3.6 f Incorporate in legislation and support provisions in international agreements concerning protection of human rights when fighting terrorism;

3.6 g Ensure due process to those who are charged with terrorism, as reflected in international legal documents;

3.6 h Make greater use of the United Nations' and regional mechanisms of peaceful settlement of disputes;

3.6 i Consider recourse to the services of the International Court of Justice and other international and regional dispute settlement institutions; and

3.6 j Incorporate provisions concerning mechanisms of conflict prevention and consensus building in legislation.

4. Regional Action

Strengthening regional collaboration in democratic development by:

4.1 Drawing up a plan of action for the regions through regional inter-governmental organisations with the collaboration of governments and civil society.

4.2 Adopt regional declarations or charters that are more catered to the conditions in the regions and that focus on regional collaboration for the promotion and support of democracy.

4.3 Map out the relationship between the regional organisations and ICNRD and procedures that need to be followed for collaborative efforts.

4.4 Undertake a series of activities to exchange experiences on coping with political, economic and social challenges of globalization and its impact on democratic governance; social responsibility in a globalizing world; rural and urban development and local participation and

representation; participation and representation in the design and implementation of environmental and development programs; policy and capacity development required to achieve the MDGs.

4.5 Agree on modes of mutual assistance in the development of democratic institutions; share experiences in the development of a democratic culture; and develop programmes of assistance for countries undergoing democratic transitions;

4.6 Organise regular regional events within the framework of regional organisations or fora to assess progress of countries in the region in their democratic endeavours;

4.7 Undertake a series of regional meetings and workshops with the participation of academia and civil society to discuss the need for governance and democracy assessments, exchange views on assessment methodologies and identify examples of good practice or innovative problem-solving in this area.

4.8 Create regional networks of policy-makers and civil society members to study conflict prevention and consensus-building in democracies and identify successful experiences to share with regional partners.

4.9 Undertake to set up regional networks of practitioners and stakeholders to promote democracy education curricula and share experiences in this area.

4.10 Promote regional dialogue on the promotion and protection of human rights and fundamental freedoms and create or consolidate regional monitoring mechanisms to assess the state of human rights and fundamental freedoms.

4.11 Promote regional dialogue to share experiences on strengthening electoral and political party systems.

4.12 Use information technology tools to create databases of regional treaties, agreements and declarations, and to share resources and experiences in democratic governance.

4.13 Promote development of international cooperation, particularly at the regional level, against corruption.

5. International Action

Recalling with appreciation the United Nations Secretary-General's Report (A/56/499, 23 October 2001) the Fifth ICNRD recommends that the United Nations General Assembly supports the following plan in promoting and supporting democracy:

5.1 Strengthen the Follow-up Mechanism by ensuring that:

5.1 a It is responsible for the follow-up on the implementation of this Plan of Action;

5.1 b The President or Bureau represent ICNRD at international fora when deemed necessary;

5.1 c The President of the Fifth ICNRD establishes, with the assistance of the United Nations, a working group to examine the conclusions of the Fifth Conference and proposals made in background papers submitted to

and interventions made at the Fifth Conference with the aim of studying proposals for making the Conference even more effective and efficient and establishing a practical programme of work for future conferences;

5.1 d It coordinates with the International Civil Society Forum follow-up mechanism; and

5.1 e The President or the Bureau are urged to initiate discussions with the Chair of the Community of Democracies to exchange views on ways of bringing closer the two movements, in a complimentary manner.